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REMARKS

Claims 20-41 are in the application. Entrance of the present amendment under Rule 116, and reconsideration, are respectfully requested.

1. Rejections Under 35 U.S.C. §112, Second Paragraph

Claims 20-22 are rejected under 35 U.S.C. §112, Second Paragraph, for indefiniteness in the language "or equivalently" appearing twice in claim 20.

The language is deleted by amendment to claim 20.

The terms (1a) through (1c) of claim 20 are, although connected by the word "or", not true alternatives, but merely alternative means of describing and expressing the information that represents the background of the scene. A practitioner of the digital imaging arts will recognize that all the terms (1a) though (1c) are not true alternatives, but merely different words and phrases all of which are descriptive of the same basic information, to wit: information on the background of the scene.

2. Rejection Under 35 U.S.C. §103

Claims 20-41 are rejected under 35 U.S.C. §103(a) as being anticipated by the reference art patent no. 6,727,925 [SIC] to Smith, et al. [SIC] in view of the prior art paper of Technicon Inc. [hereinafter "Technicon"].

The U.S. patent no. 6,727,925 referenced at section 5, line 2, of the Office Action is to Bourdelais and not to Smith, et al.; which patent was the basis of a previous rejection. It is presumed that this is a typographical error, and that the Examiner means U.S. patent no, 6,052,669 to Smith, et al. [hereinafter "Smith, et al."], newly made of reference.

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2.1 Discussion of The Cited Art

Although Applicant full well realizes he must distinguish his invention as claimed -- and does so in section 2.3 hereinafter -- Applicant begs the indulgence of the Examiner for the following four paragraphs of this section 2.1 reviewing the showings of (1) Smith, et al., and of (2) Technicon.

The patent to Smith, assigned to a major manufacturer of office equipments, concerns the graphically-assisted selection of office furniture components, and the validation of the correct interoperability of the components so selected. Graphics renderings are minimal; mere "stick figures" (although 3D) are generated and presented.

The Technicon and SolidWorks references appear to be to what are commonly referred to as a Web3D system. In this system small models are downloaded to the client and rendered in real-time on the client.

These systems are very, very different from the method and system described and claimed by Applicant, where photorealistic 3D rendering is done on a server from scene and object inputs made from a client computer.

The Examiner is credited, however, in locating having located a reference in Smith that goes beyond the previously cited system and patent of Bordelais that relied entirely on 2D images, and that had nothing to do with 3D models.

2.2 Discussion of The Relation of the Present Application to the Predecessor Application Now issued as a U.S. Patent

Although Applicant again states that he full well realizes that he must distinguish his invention as claimed -- and does so in section 2.3 hereinafter -- since the present Examiner has

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cited new art (1) which may or may not be found relevant to the
(now realized) issuance of a patent on the predecessor
application; and +(2) which is in any case now cited by the
Examiner as relevant to passage to issuance of the claims of the
present application, Applicant solicits the indulgence of the
Examiner for anther four paragraphs explaining of the purpose(s),
and content, of the present, Continuation-in-Part patent
application. In this short explanation Applicant begins to
contrast his invention with the showings of Smith, and of
Technicon.

The present application is directed to extending the
concepts taught in the predecessor application. Two key concepts
are newly taught and claimed.

The first concept is that the scene data need not be
communicated from the client to the server in 2D (plan view)
form, and translated to 3D using object based-rules (chairs sit
on the floor). Instead, small (light i.e. low polygon count)
"proxy" or "stand-in" models and textures can be placed in a 3D
scene on the client and rendered in real time for the purpose of
specifying the scene, and previewing the final rendering. Then
this information is transmitted to the server, where the big
high-resolution models and textures are substituted, and where a
high-resolution 2D or 3D image is rendered entirely from 3D
elements residing on the server, with the images is returned to
the client for viewing.

In contrast, both the reference art of (1) Smith and (2) the
apparent Web3D application as is the subject of the Technicon
reference, serve to render a final image on the **client** for
display to the user -- not for the purpose of specifying a scene
to a ray-tracing rendering system on a **remote server**! Web3D